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## Capitol Quotes

● **OUTER SPACE** -- "Congressional hearings on our missile, rocket and satellite programs can achieve much good if they are carried out in an unpartisan manner and are not allowed to degenerate into a de-meaning or harmful political witch-hunt.... Congress should also give serious consideration to the formation of a Joint Committee on Outer Space, similar in scope to the Joint Committee on Atomic Energy.... Since it is certain that satellite, rocket and missile problems will play a major role in our lives in the years to come, they should be under the continuous scrutiny of a special Congressional group." -- Rep. Kenneth B. Keating (R N.Y.) Oct. 16 release.

"Man, having burst the ancient boundaries of his planet and pierced the uncharted universe, is compelled now to proceed with the utmost wisdom. I respectfully suggest that a new Federal agency be created for the purpose of keeping United States policy and planning ahead of the swiftly changing world. The agency chief should...hold a rank equivalent to Cabinet member and sit in the National Security Council. Such a group, which might be called the 'Scientific Progress Agency,' could immediately attack the problems of outer space we face today. But principally it would think and operate in terms of the future." -- Sen. Charles E. Potter (R Mich.) Oct. 16 release.

"Let us not be panicked into a deification of science and scientists.... What we really must have in the interest of world peace is a balance between emphasis on the humanities and emphasis on science.... We do not have a dearth of scientists. We have a dearth of policy and a tragic underestimation of the worth of basic research in all areas...not directly related to commercial values." -- Rep. Emanuel Celler (D N.Y.) Oct. 20 broadcast.

● **LABOR STANDARDS** -- "The labor movement has grown up.... It must now accept and be charged by law with full adult responsibility and accountability.... Basic standards in many areas of organized labor and in labor-management relations should be clearly defined and prescribed by law. Welfare, pension and union funds should be declared trust funds.... Presently the huge income and resources of labor organizations are tax exempt.... A simple provision denying the tax exempt privilege to any labor organization that fails to comply with the standards of accounting, conduct, and ethics prescribed by law will, in my opinion, be a penalty sufficient to compel compliance. The tax exempt privilege is an advantage I am sure labor unions would not want to lose." -- Sen. John L. McClellan (D Ark.) Oct. 18 address.

● **SOUTHERN RESISTANCE** -- "We of the South are a proud people.... No one should be mistaken or misled. We are going to fight as long as we have breath for the rights of the states.... The only consideration that will be given to our views will be that given to secure our votes if the national parties believe they need our support.... The officials of the South Carolina Democratic party should demand that the national party give consideration to the principles of the South Carolina...party. The national Democratic party should be called upon to dismiss the present national chairman. He has made it absolutely clear that he is not interested in the views of the South.... This is no time for passive resistance. This is a time for massive resistance against the insults and disregard of the national party." -- Sen. Strom Thurmond (D S.C.) Oct. 17 address.

● **THE BACK YARD** -- "By and large, the White man has demonstrated by his inaction that he has a long way to go to do justice by the Red Man.... A high proportion of poverty-stricken Indian youngsters never even survive the very first years of life. Of those who do survive childhood, the average Indian life span is only 39 years.... Sometimes, many Americans -- looking only abroad -- are critical of conditions which exist in impoverished, underdeveloped countries. Now, we are reminded that right in our own back yard, with our own Indians, we, too, have much to answer for." -- Sen. Alexander Wiley (R Wis.) Oct. 17 newsletter.

● **INTEGRATION** -- "In a visit to the White House... I had an opportunity to relate...the activities of Little Rock's civic and church leaders in helping to lay the foundation for withdrawal of Federal troops.... It appears to me that outside Arkansas there will be a tendency to over-emphasize the political aspects as distinguished from the legal and moral factors.... All would be happy if the severe conflict...might be avoided elsewhere. Three things would help: local communities should study all suggested alternative approaches; the Supreme Court should give great weight to variations in local school conditions and should reexamine the 1954 school decisions with the intent to provide an approach more suitable to conditions as they actually exist; there should be a suspension of pressures for compliance in localities where the basis for change is not fully laid in public sentiment." -- Rep. Brooks Hays (D Ark.) Oct. 21 newsletter.

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## HOW BIG IS THE NORTH-SOUTH DEMOCRATIC SPLIT?

With the Democratic party confronting one of its periodic North-South splits and discussion once again centering on the possibility of a third party movement (Weekly Report, p. 1209), Congressional Quarterly has examined the record of Democratic disagreements in the 1957 session of Congress. These are the findings:

- 1. The majority of voting Southern Democrats opposed the stand taken by the majority of voting Northern Democrats on 64, or 31 percent, of the session's roll calls. By contrast, Southern Democrats disagreed with the Republican majority on 103, or 50 percent, of the session's roll calls, and Northern Democrats disagreed with the Republican majority on 95, or 46 percent, of the session's roll calls.
- 2. The North-South disagreements came on a wide variety of subjects. Of the 64 roll-call splits, 42 concerned domestic policy and 22 concerned foreign policy. Civil rights was involved in 13 of the roll calls, foreign aid in 14. Many of the disagreements concerned Federal spending and domestic welfare programs.
- 3. Of the 64 roll calls on which the Southern Democrats split with the Northern Democrats, the Southerners disagreed with the Republican majority 36 times (56 percent) and agreed with the GOP majority 28 times (44 percent).
- 4. There was wide variance in the records of individual Southern Members. On the 64 North-South splitting roll calls, the average Southern Member backed the Southern stand 67 percent of the time and opposed it 27 percent of the time. The individual range was from 97 percent support of Southern stands to 94 percent opposition.

### Number of Splits

For this survey, Congressional Quarterly grouped 13 states as the South -- Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia. The other 35 states were grouped as the North.

The 13 Southern states were represented by 24 Democratic Senators and 110 Democratic Representatives in 1957. The 35 Northern states had 26 Democratic Senators and 123 Democratic Representatives in 1957.

To determine the number of roll calls on which there were North-South splits in the Democratic party, CQ checked all 1957 roll calls to see when the majority of voting Southern Democrats opposed the stand taken by the majority of voting Northern Democrats. Roll calls on which either Northern or Southern Democrats divided evenly were not counted as "splits." The results of this survey are shown in the table below:

	Total Roll Calls	North-South Democratic Splits	Percentage Of Splits
Both Chambers	207	64	31%
Senate	107	33	31
House	100	31	31

The "split" roll calls, and the breakdown of votes on each, are listed on p. 1220.

### Issues that Divide Democrats

More important than the number of roll calls on which Northern and Southern Democrats differed are the issues that divided them. The 64 roll calls involved a wide variety of subjects. Forty-two were matters of domestic policy, 22 concerned foreign policy.

Civil rights, most-often-discussed source of contention in the Democratic party, was involved in 13 of the 64 votes. The majority of Southern Democrats in both chambers opposed the Civil Rights Act of 1957 (Senate RC 75, 105; House RC 42, 96, 100).

Foreign aid was another bone of contention, figuring in 14 roll-call splits. The majority of Southern Democrats in both chambers opposed the Mutual Security authorization and appropriation (Senate RC 54, 101; House RC 54, 79, 82).

Government spending figured in many of the disagreements. The first 10 splits in the House, for instance, came on amendments to reduce the appropriations for the Departments of Labor and Health, Education and Welfare, all supported by a majority of Southern Democrats (House RC 13-15, 17-19, 21-23, 25).

Other notable issues on which the Northern and Southern Democrats split in 1957:

Mideast Doctrine -- The majority of Southern Democrats in the Senate tried unsuccessfully to amend the President's Mideast Doctrine, then voted against it (Senate RC 6, 9, 10).

Immigration -- The majority of Southern Democrats in the House opposed the bill to revise immigration and nationality laws to relieve hardship cases (House RC 96).

Corn Program -- The majority of Southern Democrats in the Senate opposed the emergency corn legislation (Senate RC 19).

Small Business -- The majority of Southern Democrats in the Senate opposed a move to lower taxes on small corporations while increasing them on medium and large corporations (Senate RC 19).

Public Housing -- The majority of Southern Democrats in the Senate opposed a move to authorize construction of 200,000 additional low-cost housing units a year (Senate RC 32).

Flood Insurance -- The majority of Southern Democrats in the House opposed a move to provide \$14 million to start a Federal flood insurance program (House RC 43).

School Construction -- The majority of Southern Democrats in the House supported a move to kill the bill for Federal aid for school construction (House RC 56).

Postal Rates -- The majority of Southern Democrats in the House favored the bill to increase postal rates (House RC 78).

Presidential Appointments -- The majority of Southern Democrats in the Senate voted to confirm two Presidential nominees opposed by the majority of Northern Democrats -- Scott McLeod as Ambassador to Ireland and Jerome K. Kuykendall as a member of the Federal Power Commission (Senate RC 21, 22, 91).

## Republican Stands

Contrary to expectations, the CQ survey showed in 1957 that Republicans agreed with Northern Democrats more often than with the Southern Democrats on issues that divided the Democrats, as shown in the chart below:

	Majority of Southern Democrats	Majority of Northern Democrats
Number of roll calls on which majority of voting Republicans agreed with:		
Both Chambers	28	36
Senate	12	21
House	16	15

Most of the Republican-Southern Democratic agreements came on roll calls affecting Government spending for domestic welfare projects.

Most of the Republican-Northern Democratic agreements came on roll calls involving civil rights and foreign aid.

## Individual Stands

CQ computed what can be called "Southern Unity" scores for each Democratic Member from the South. The scores are given on p. 1219.

The scores are based solely on the 64 roll calls on which the majority of voting Southern Democrats opposed the stand taken by the majority of voting Northern Democrats. They show:

- 1. The percentage of time, on those roll calls, the Member voted "yea" or "nay" in agreement with the majority of Southern Democrats.
- 2. The percentage of time, on those roll calls, the Member voted "yea" or "nay" in disagreement with the majority of Southern Democrats.

Failures to vote tend to lower both scores and account for the fact that many Members' scores do not total to 100 percent.

**AVERAGES --** The table below shows the percentage of time, on the 64 roll calls, the average Southern Democrat voted "yea" or "nay" in agreement and in disagreement with the majority of Southern Democrats.

	In Agreement With Southern Majority	In Disagreement With Southern Majority
Both Chambers	67%	27%
Senate	65	26
House	67	27

**SUPPORT HIGHS --** The table below lists the Members who voted "yea" or "nay" in agreement with the majority of Southern Democrats most consistently in 1957:

Senate		House	
Russell (Ga.)	97%	Williams (Miss.)	97%
Ellender (La.)	94	Smith (Va.)	97
Robertson (Va.)	91	Dorn (S.C.)	97
Thurmond (S.C.)	91	Dowdy (Texas)	97
Eastland (Miss.)	88	Harrison (Va.)	97
Stennis (Miss.)	88		

**OPPOSITION HIGHS --** The table below lists the Members who voted "yea" or "nay" in disagreement with the majority of Southern Democrats most consistently in 1957:

Senate		House	
Kefauver (Tenn.)	76%	Perkins (Ky.)	94%
Gore (Tenn.)	55	Natcher (Ky.)	87
Hill (Ala.)	52	Elliott (Ala.)	74
Johnson (Texas)	52	Jones (Ala.)	68
Monroney (Okla.)	48	Albert (Okla.)	68
		Spence (Ky.)	68

## State Stands

CQ computed each state's "Southern Unity" score by averaging the scores of its individual Democratic Members of Congress.

The average Democratic Member of state Congressional delegation voted "yea" or "nay":

	In Agreement With Southern Majority	In Disagreement With Southern Majority
Mississippi	88%	9%
*Virginia	88	9
South Carolina	86	11
*North Carolina	72	18
*Florida	70	26
Louisiana	67	24
Georgia	66	25
*Texas	66	28
Arkansas	64	30
*Tennessee	57	33
Alabama	51	44
*Oklahoma	46	47
*Kentucky	31	60

\*State also elected one or more Republicans to Congress.

These figures indicate the Congressional delegations from Mississippi, Virginia and South Carolina gave most consistent support to the Southern stands on issues that split Southern and Northern Democrats.

The States Rights party in 1948 carried Alabama, Louisiana, Mississippi and South Carolina.

## Conclusion

This survey, of course, does not indicate whether there will be a third party movement in 1960 or whether the obvious differences between Northern and Southern Democrats can be resolved within the framework of the existing two-party structure.

It does, however, indicate that the disagreements are substantial, both in number and in variety, embracing not only the emotional issue of civil rights but basic questions of foreign policy, domestic welfare and the proper limits of Federal activity.

It indicates that on many, but not all, of these issues the Southern Democrats disagree not only with their Northern colleagues but with the predominant Republican position as well.

It focuses on Mississippi, Virginia and South Carolina as the states where disagreement with the policies of Northern Democrats is most marked and on Sen. Richard B. Russell (D Ga.) as the man whose thinking on the third party issue is of most significance. Statistically and intellectually, Russell has become the leading spokesman for Southern Democrats in Congress. His latest statement on the subject, Oct. 15: "Unless a third party movement can be sold to other states, it would be a terrible mistake. We are better off with the Democrats."



## INDIVIDUAL SOUTHERN UNITY PERCENTAGES

The chart below measures the "Southern Unity" of Democratic Senators and Representatives from the South. The figures are based on 64 roll calls -- 33 in the Senate and 31 in the House -- in 1957 on which the majority of voting Southern Democrats opposed the stand taken by the majority of voting Northern Democrats. (For list of roll calls, see p. 4)

• COLUMN 1 gives the percentage of the roll calls on which the Member voted "yea" or "nay" in agreement with the majority of voting Southern Democrats.

• COLUMN 2 gives the percentage of the roll calls on which the Member voted "yea" or "nay" in disagreement with the majority of voting Southern Democrats.

In most cases, the figures do not total to 100 percent because of failures to vote.

*\*Not eligible for all 33 "Southern Unity" roll calls; percentage score is based on the number of votes for which Senator was eligible.*

### Senators' Scores

	1.	2.		1.	2.		1.	2.		1.	2.
<b>ALABAMA</b>			<b>GEORGIA</b>			<b>NORTH CAROLINA</b>			<b>TENNESSEE</b>		
Hill	48	52	Russell	97	3	Ervin	48	18	Gore	39	55
Sparkman	39	42	Talmadge	85	12	Scott	42	39	Kefauver	18	76
<b>ARKANSAS</b>			<b>LOUISIANA</b>			<b>OKLAHOMA</b>			<b>TEXAS</b>		
Fulbright	39	36	Ellender	94	3	Kerr	82	12	*Yarborough	29	46
McClellan	85	6	Long	82	15	Monroney	27	48	Johnson	42	52
<b>FLORIDA</b>			<b>MISSISSIPPI</b>			<b>SOUTH CAROLINA</b>			<b>VIRGINIA</b>		
Holland	64	33	Eastland	88	3	Johnston	76	18	Byrd	85	3
Smathers	64	30	Stennis	88	12	Thurmond	91	9	Robertson	91	6

### Representatives' Scores

	1.	2.		1.	2.		1.	2.		1.	2.
<b>ALABAMA</b>			9 Landrum	84	10	1 Bonner	74	13	<b>TEXAS</b>		
3 Andrews	81	16	7 Lanham	32	65	4 Cooley	61	35	3 Beckworth	48	52
1 Boykin	58	16	2 Pilcher	52	42	6 Durham	71	29	2 Brooks	45	55
7 Elliott	26	74	1 Preston	13	39	2 Fountain	68	32	17 Burleson	94	6
2 Grant	81	16	6 Vinson	29	48	8 Kitchin	94	6	AL Dies	42	3
9 Huddleston	58	42	<b>KENTUCKY</b>			7 Lennon	87	13	7 Dowdy	97	3
8 Jones	32	68	4 Chelf	65	35	5 Scott	87	10	21 Fisher	87	6
5 Rains	26	61	1 Gregory	42	16	12 Shuford	87	13	13 Ikard	71	29
4 Roberts	42	58	2 Natcher	13	87	11 Whitener	81	10	20 Kilday	55	42
6 Selden	65	35	7 Perkins	6	94	<b>OKLAHOMA</b>			15 Kilgore	84	16
<b>ARKANSAS</b>			5 Spence	29	68	3 Albert	32	68	19 Mahon	84	16
1 Gathings	77	23	6 Watts	32	61	2 Edmondson	35	65	1 Patman	42	55
4 Harris	77	23	<b>LOUISIANA</b>			5 Jarman	58	42	11 Poage	71	26
5 Hays	35	52	2 Boggs	45	48	6 Morris	39	61	18 Rogers	84	16
2 Mills	87	13	4 Brooks	77	16	4 Steed	48	35	16 Rutherford	90	10
6 Norrell	71	29	1 Hebert	74	13	<b>SOUTH CAROLINA</b>			6 Teague	71	16
3 Trimble	39	61	8 Long	48	39	4 Ashmore	94	6	8 Thomas	71	26
<b>FLORIDA</b>			6 Morrison	45	26	3 Dorn	97	3	9 Thompson	74	23
2 Bennett	81	19	5 Passman	52	48	5 Hemphill	90	10	10 Thornberry	55	39
4 Fascell	42	52	7 Thompson	74	16	6 McMillan	87	3	12 Wright	52	48
7 Haley	84	16	3 Willis	81	13	2 Riley	74	26	14 Young	55	35
5 Herlong	90	3	<b>MISSISSIPPI</b>			1 Rivers	77	13	<b>VIRGINIA</b>		
8 Matthews	61	35	1 Abernethy	94	3	<b>TENNESSEE</b>			4 Abbitt	87	6
6 Rogers	84	16	6 Colmer	87	3	6 Bass	77	23	3 Gary	81	19
3 Sikes	58	26	3 Smith	65	35	8 Cooper	74	26	2 Hardy	77	23
<b>GEORGIA</b>			2 Whitten	90	10	9 Davis	35	32	7 Harrison	97	3
8 Blitch	74	19	4 Williams	97	0	4 Evins	48	42	9 Jennings	81	13
10 Brown	68	32	5 Winstead	94	6	3 Frazier	71	29	1 Robeson	90	6
5 Davis	81	10	<b>NORTH CAROLINA</b>			5 Loser	65	10	8 Smith	97	0
4 Flynt	94	6	9 Alexander	87	13	7 Murray	87	3	5 Tuck	94	6
3 Forrester	87	10	3 Barden	55	3						

## 64 ROLL CALLS ON WHICH DEMOCRATIC PARTY SPLIT

Following is a list of 64 Senate and House roll calls in 1957 on which the majority of voting Southern Democrats opposed the stand taken by the Majority of voting Northern Democrats.

In this breakdown, Southern Democrats are Members from Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia; Northern Democrats come from the other 35 states.

The roll calls are listed in their chronological order by Congressional Quarterly roll call (RC) number. Page references are to the 1957 CQ Weekly Report vote charts, which present the votes of each Member.

An asterisk (\*) before the roll call number indicates the roll call was one on which the majority of voting Southern Democrats agreed with the stand of the majority of voting Republicans.

For each roll call, the total vote is broken down into three groups: Southern Democrats (SD), Northern Democrats (ND) and Republicans (R).

### Senate Roll Calls (33)

\*RC 2, 1957 Rules. Johnson (D Texas) motion to table Anderson (D N.M.) motion to consider adoption of new rules on Senate debate, thus killing it. Agreed to 55-38 (SD 22-2, ND 5-19, R 28-17), Jan. 4, 1957; p. 40.

RC 6, S J Res 19. Senate version of the President's Mideast Doctrine. Russell (D Ga.) amendment to eliminate authorization for use of \$200 million for military and economic aid. Rejected 28-58 (SD 14-6, ND 9-14, R 5-38), March 2, 1957; p. 298.

\*RC 8, S J Res 19. Mideast Doctrine. Morse (D Ore.) amendment directing the President to notify Congress before using armed forces or to submit any such action for Congressional approval. Rejected 28-64 (SD 11-12, ND 13-11, R 4-41), March 5, 1957; p. 299.

RC 9, S J Res 19. Mideast Doctrine. Curtis (R Neb.) amendment to set expiration date for the program as March 15, 1961. Rejected 30-58 (SD 11-9, ND 2-21, R 17-28), March 5, 1957; p. 299.

RC 10, H J Res 117. Passage of House Mideast Resolution, as amended by the Senate. Agreed to 72-19 (SD 11-12, ND 19-4, R 42-3), March 5, 1957; p. 299.

\*RC 12, S 1451. Financial Institutions Act of 1957. Douglas (D Ill.) amendment to authorize Federal savings and loan association branches in states that permit commercial banks to have branches. Rejected 27-58 (SD 5-18, ND 15-6, R 7-34), March 21, 1957; p. 388.

\*RC 13, S 1451. Financial Institutions Act of 1957. O'Mahoney (D Wyo.) amendment to make plain that nothing in the section of the bill on insured bank supervision should be construed as approving any merger that violated the law or should be a defense against any prohibited antitrust action. Rejected 28-58 (SD 11-13, ND 16-4, R 1-41), March 21, 1957; p. 388.

\*RC 14, HR 4090. Tax Revision. Extend 52 percent corporate income tax rate and certain excise taxes for 15 months, until June 30, 1958. Fulbright (D Ark.) amendment to aid small corporations by adjusting rates so as to reduce taxes of corporations earning less than \$225,000 annually and raise those above that figure. Rejected 33-52 (SD -9-11, ND 19-4, R 5-37), March 27, 1957; p. 394.

RC 19, S 1771. Corn Program. Establish a 51-million-acre national base acreage for the 1957 commercial corn crop and require that the equivalent of 15 percent of the producer's base corn acreage be put into the soil bank. Rejected 35-45 (SD 4-17, ND 11-9, R 20-19), April 10, 1957; p. 445.

\*RC 21. McLeod Nomination. Confirmation of the nomination of Scott McLeod as Ambassador to Ireland. Clark (D Pa.) motion to recommit. Rejected 22-54 (SD 7-13, ND 15-2, R 0-39), May 8, 1957; p. 553.

\*RC 22. McLeod Nomination. Confirmed 60-20 (SD 14-6, ND 4-14, R 42-0), May 9, 1957; p. 553.

\*RC 29, HR 6659. Housing Act of 1957. Gore (D Tenn.) amendment to increase to \$350 million the capitalization of the regular secondary market operations of the Federal National Mortgage Assn. and to prohibit discounts on Government-insured

mortgages. Rejected 17-61 (SD 8-15, ND 9-5, R 0-41), May 28, 1957; p. 680.

\*RC 32, HR 6659. Housing Act of 1957. Morse (D Ore.) amendment to authorize 200,000 additional low-cost housing units during each of fiscal years 1958 and 1959. Rejected 20-54 (SD 3-17, ND 14-5, R 3-32), May 29, 1957; p. 681.

\*RC 38, HR 6500. Fiscal 1958 appropriations for the District of Columbia. Morse (D Ore.) amendment to provide a \$23 million rather than a \$20.5 million, Federal payment to the District. Rejected 23-62 (SD 4-18, ND 13-12, R 6-32), June 11, 1957; p. 728.

\*RC 39, HR 6500. Fiscal 1958 appropriations for the District of Columbia. Morse (D Ore.) amendment to increase by \$440,250 the funds for teaching personnel in the D.C. public schools. Rejected 27-57 (SD 5-16, ND 15-8, R 7-33), June 11, 1957; p. 728.

RC 47, S 2130. Mutual Security Act of 1957. Long (D La.) amendment to eliminate authorization of \$710 million for fiscal 1959 defense support, thus reducing authorization to one instead of two years. Rejected 34-55 (SD 12-10, ND 8-16, R 14-29), June 14, 1957; p. 740.

RC 48, S 2130. Mutual Security Act of 1957. Long (D La.) amendment to reduce by \$90 million, to \$710 million, defense support funds for fiscal 1958. Rejected 40-49 (SD 15-7, ND 10-14, R 15-28), June 14, 1957; p. 740.

RC 49, S 2130. Mutual Security Act of 1957. Ellender (D La.) amendment to reduce by \$500 million, to \$1.3 billion, military assistance funds for fiscal 1958. Rejected 26-61 (SD 12-9, ND 8-16, R 6-36), June 14, 1957; p. 740.

RC 50, S 2130. Mutual Security Act of 1957. Long (D La.) amendment to cut \$100 million from military assistance funds for fiscal 1958. Rejected 33-52 (SD 12-8, ND 8-15, R 13-29), June 14, 1957; p. 740.

RC 51, S 2130. Mutual Security Act of 1957. Morse (D Ore.) amendment to delete Development Loan Fund provisions authorizing borrowing authority of \$750 million in each of fiscal 1959 and fiscal 1960 and to eliminate the revolving character of the Fund. Rejected 32-54 (SD 13-8, ND 8-16, R 11-30), June 14, 1957; p. 741.

RC 52, S 2130. Mutual Security Act of 1957. Morse (D Ore.) amendment to reduce by \$150 million, to \$100 million, the Special Authority funds the President could use at his discretion and require that he notify Congressional committees 15 days before using this authority. Rejected 22-61 (SD 11-8, ND 8-16, R 3-37), June 14, 1957; p. 741.

RC 54, S 2130. Mutual Security Act of 1957. Passed 57-25 (SD 8-12, ND 18-5, R 31-8), June 14, 1957; p. 741.

RC 58, HR 6127. Civil Rights Act of 1957. Motion to table a motion to reconsider Russell (D Ga.) point of order against Knowland (R Calif.) move to bypass Senate Judiciary Committee consideration of the House-passed bill. Agreed to 49-36 (SD 0-23, ND 12-10, R 37-3), June 20, 1957; p. 742.

RC 66, HR 6127. Civil Rights Act of 1957. Knowland (R Calif.) motion to consider the bill. Agreed to 71-18 (SD 6-18, ND 23-0, R 42-0), July 16, 1957; p. 858.

RC 67, HR 6127. Civil Rights Act of 1957. Morse (D Ore.) motion to refer the bill to the Senate Judiciary Committee with instructions to report the bill in seven days. Rejected 33-54 (SD 24-0, ND 7-16, R 4-38), July 16, 1957; p. 858.

RC 71, HR 6127. Civil Rights Act of 1957. Anderson (D N.M.) Aiken (R Vt.) amendment to eliminate the section that would have permitted the Attorney General to institute civil action for preventive relief in civil rights cases under the 14th Amendment. Accepted 52-38 (SD 24-0, ND 10-13, R 18-25), July 24, 1957; p. 907.

RC 74, HR 6127. Civil Rights Act of 1957. Case (R S.D.) amendment to make a district court's jurisdiction over right-to-vote cases permissive rather than mandatory when administrative remedies had not been exhausted. Rejected 34-47 (SD 22-1, ND 8-12, R 4-34), Aug. 2, 1957; p. 963.

RC 75, HR 6127. Civil Rights Act of 1957. Passed 72-18 (SD 7-17, ND 22-1, R 43-0), Aug. 7, 1957; p. 963.

\*RC 91, Kuykendall Nomination. Nomination of Jerome K. Kuykendall to a second term on the Federal Power Commission, ending June 22, 1962. Confirmed 50-25 (SD 12-7, ND 2-16, R 36-2) Aug. 15, 1957; p. 987.

RC 100, HR 9302. Fiscal 1958 Mutual Security Appropriation. Committee amendment to increase military assistance funds by \$225 million. Accepted 59-28 (SD 9-14, ND 16-6, R 34-8), Aug. 27, 1957; p. 1059.

RC 101, HR 9302. Fiscal 1958 Mutual Security Appropriation. Passed 62-25 (SD 10-13, ND 20-2, R 32-10), Aug. 27, 1957; p. 1059.

RC 104, HR 6127. Civil Rights Act of 1957. Thurmond (D S.C.) motion to send the modified jury trial provision of the House to the Senate Judiciary Committee. Rejected 18-66 (SD 17-6, ND 1-20, R 0-40), Aug. 27, 1957; p. 1066.

RC 105, HR 6127. Civil Rights Act of 1957. Johnson (D Texas) motion to concur in the House-approved provision permitting a jury trial in some criminal contempt cases involving voting rights. Agreed to 60-15 (SD 4-15, ND 19-0, R 37-0), Aug. 29, 1957; p. 1066.

### House Roll Calls (31)

\*RC 13, HR 6287. Fiscal 1958 Appropriations for the Departments of Labor and Health, Education and Welfare. Budge (R Idaho) amendment to cut an additional \$30,000 from salaries and expenses of the Office of Secretary of Labor. Agreed to 286-126 (SD 88-18, ND 25-86, R 173-22), April 4, 1957; p. 446.

\*RC 14, HR 6287. Fiscal 1958 Labor-HEW Appropriation. Budge (R Idaho) amendment to cut an additional \$204,000 from salaries and expenses of the Labor Department Solicitor's Office. Agreed to 241-171 (SD 78-25, ND 10-104, R 153-42), April 4, 1957; p. 446.

\*RC 15, HR 6287. Fiscal 1958 Labor-HEW Appropriation. Budge (R Idaho) amendment to cut an additional \$46,300 from salaries and expenses of the Bureau of Labor Statistics. Agreed to 246-169 (SD 82-22, ND 25-90, R 139-57), April 4, 1957; p. 446.

\*RC 17, HR 6287. Fiscal 1958 Labor-HEW Appropriation. Smith (D Va.) amendment to cut an additional \$442,000 from salaries and expenses of the Bureau of Employment Security. Agreed to 214-205 (SD 69-37, ND 3-113, R 142-55), April 4, 1957; p. 448.

\*RC 18, HR 6287. Fiscal 1958 Labor-HEW Appropriation. Byrnes (R Wis.) amendment to cut an additional \$12,186,000 from funds for grants to states for unemployment compensation and other programs. Agreed to 220-200 (SD 58-48, ND 6-111, R 156-41), April 4, 1957; p. 448.

\*RC 19, HR 6287. Fiscal 1958 Labor-HEW Appropriation. Flynt (D Ga.) amendment to cut an additional \$1,500,000 from funds for unemployment compensation for Federal employees. Agreed to 253-167 (SD 78-28, ND 12-105, R 163-34), April 4, 1957; p. 448.

\*RC 21, HR 6287. Fiscal 1958 Labor-HEW Appropriation. Murray (D Tenn.) amendment to cut an additional \$346,000 from salaries and expenses of the Bureau of Labor Statistics. Agreed to 217-202 (SD 75-31, ND 8-109, R 134-62), April 4, 1957; p. 448.

\*RC 22, HR 6287. Fiscal 1958 Labor-HEW Appropriation. Blitch (D Ga.) amendment to cut \$31,000 from funds for the Women's Bureau. Rejected 206-210 (SD 58-48, ND 3-113, R 145-49), April 4, 1957; p. 450.

\*RC 23, HR 6287. Fiscal 1958 Labor-HEW Appropriation. Hebert (D La.) amendment to cut \$288,000 from salaries and expenses of the Wage and Hour Division. Agreed to 214-205 (SD 68-38, ND 4-112, R 142-55), April 4, 1957; p. 450.

\*RC 25, HR 6287. Fiscal 1958 Labor-HEW Appropriation. Dorn (D S.C.) amendment to cut an additional \$1,482,000 from funds for the Office of Education. Rejected 206-207 (SD 69-36, ND 4-110, R 133-61), April 4, 1957; p. 450.

\*RC 30, HR 6871. Fiscal 1958 Appropriations for State, Justice, the Judiciary and U.S. Information Agency. Gross (R Iowa) amendment to cut an additional \$7,039,958 from the funds provided for U.S. contributions to international organizations. Rejected 167-205 (SD 52-39, ND 15-89, R 100-77), April 17, 1957; p. 480.

RC 40, HR 6127. Civil Rights Act of 1957. Adoption of open rule permitting four days of debate. Adopted 291-117 (SD 2-106, ND 111-1, R 178-10), June 5, 1957; p. 692.

RC 41, HR 6127. Civil Rights Act of 1957. Poff (R Va.) motion to recommit the bill with instructions to insert a provision for jury trial in any criminal contempt legislation. Rejected 158-251 (SD 107-0, ND 6-112, R 45-139), June 18, 1957; p. 738.

RC 42, HR 6127. Civil Rights Act of 1957. Passed 286-126 (SD 2-105, ND 116-2, R 168-19), June 18, 1957; p. 738.

\*RC 43, HR 7221. Third Fiscal 1957 Supplemental Appropriation. Boland (D Mass.) motion to accept an amendment that would provide \$14 million for initiation of a Federal flood insurance program. Rejected 186-218 (SD 42-61, ND 85-28, R 59-129), June 18, 1957; p. 738.

RC 46, HR 6287. Fiscal 1958 Labor-HEW Appropriation. Hiestand (R Calif.) motion to recommit the conference report. Rejected 73-321 (SD 63-41, ND 2-105, R 8-175) June 26, 1957; p. 790.

RC 53, S 2130. Mutual Security Act of 1957. Smith (R Wis.) motion to recommit the bill with instructions to delete provisions for creation of the Development Loan Fund. Rejected 181-227 (SD 84-18, ND 19-92, R 78-117), July 19, 1957; p. 908.

RC 54, S 2130. Mutual Security Act of 1957. Passed 254-154 (SD 33-69, ND 102-9, R 119-76), July 19, 1957; p. 908.

\*RC 56, HR 1. School Construction Assistance Act of 1957. Smith (D Va.) motion to strike the enacting clause (kill the bill). Agreed to 208-203 (SD 90-16, ND 7-110, R 111-77), July 25, 1957; p. 908.

RC 62, HR 6763. Amend a 1954 law to authorize construction of a four-lane tunnel, instead of a low-level bridge, across the Potomac River between the District of Columbia and Virginia. Hays (D Ohio) motion to strike the enacting clause (kill the bill). Rejected 175-194 (SD 23-75, ND 58-42, R 94-77), Aug. 1, 1957; p. 968.

RC 68, H Res 362. An open rule for consideration of a bill (HR 7244) to permit livestock dealers to deduct small amounts from sale proceeds for payments to dealer organizations supporting market research and promoting meat consumption. Rejected 175-216 (SD 79-22, ND 47-68, R 49-126) Aug. 7, 1957; p. 970.

\*RC 78, HR 5836. Postal Rate Increase Act of 1957. Passed 256-129 (SD 71-30, ND 14-95, R 171-4), Aug. 13, 1957; p. 990.

RC 79, S 2130. Mutual Security Act of 1957, conference report. Adopted 226-163 (SD 33-70, ND 93-19, R 100-74), Aug. 14, 1957; p. 990.

\*RC 80, S 1383. A bill to amend the Interstate Commerce Act to strengthen administrative control over issuance of permits to engage in freight forwarding. Passed 177-176 (SD 55-44, ND 23-74, R 99-58), Aug. 14, 1957; p. 992.

RC 82, HR 9302. Fiscal 1958 Mutual Security Appropriation. Passed 252-130 (SD 41-62, ND 103-8, R 108-60), Aug. 15, 1957; p. 992.

RC 84, HR 1937. Authorize construction by the D.C. Armory Board of a District of Columbia stadium on Federal land, conference report. Rejected 135-234 (SD 62-40, ND 31-69, R 42-125), Aug. 20, 1957; p. 1010.

\*RC 87, HR 9131. First Fiscal 1958 Supplemental Appropriation, conference report. LeCompte (R Iowa) motion to concur in a Senate amendment to provide \$475,000 for Army Engineer construction on the Columbia River, Vancouver, Wash., and the Rathbun Dam, Iowa. Rejected 141-216 (SD 38-59, ND 64-35, R 39-122), Aug. 21, 1957; p. 1012.

RC 95, HR 6127. Civil Rights Act of 1957. Madden (D Ind.) motion to end debate on a provision amending the Senate's jury trial amendment. Agreed to 274-101 (SD 19-84, ND 105-2, R 150-15), Aug. 27, 1957; p. 1062.

RC 96, HR 6127. Civil Rights Act of 1957. Adoption of modified jury trial provision. Adopted 279-97 (SD 22-81, ND 106-1, R 151-15), Aug. 27, 1957; p. 1062.

RC 98, S 2792. A bill revising the immigration and nationality laws to relieve certain "hardship" cases. Passed 295-58 (SD 44-46, ND 97-3, R 154-9), Aug. 28, 1957; p. 1064.

RC 100, HR 9302. Fiscal 1958 Mutual Security Appropriation, conference report. Adopted 194-122 (SD 34-58, ND 73-12, R 87-52), Aug. 30, 1957; p. 1078.

## SPECIAL HOUSE ELECTIONS

Two vacancies in the House of Representatives from normally Republican districts will be filled in special elections Nov. 5. The outlook in both was for Republican victory.

• **NEW JERSEY 2nd** -- Vacancy created by the death Dec. 26, 1956, of Rep. T. Millet Hand (R).

**Candidates** -- Milton W. Glenn (R), state assemblyman from Atlantic City.

Joseph G. Hancock (D), farmer.

**District** -- Consists of Atlantic, Cumberland and Cape May Counties, southernmost in New Jersey. Largest city is Atlantic City. Considered a safe Republican district. Rep. Hand received 63.4 percent of vote in 1952; 63.6 percent in 1954; 67.9 percent in 1956. President Eisenhower received 58.4 percent in 1952, 65.6 percent in 1956.

**Special Factors** -- According to 1950 census, district's population was 12.9 percent Negro. Negro registration is reported higher than previously in Atlantic City. Both parties watching for any trend in Negro vote in wake of passage of civil rights bill and Little Rock school integration crisis.

• **PENNSYLVANIA 13th** -- Vacancy created by the resignation Sept. 1 of Rep. Samuel K. McConnell Jr. (R). (Weekly Report, p. 870)

**Candidates** -- John A. LaFore Jr. (R), 52, state representative and auto dealer from Haverford.

Glenn W. Preston (D), 36, of Oreland, scientist and director of an electronics firm.

**District** -- Consists of Montgomery County, a small-town area including the wealthy Main Line suburbs of Philadelphia. Considered a safe Republican district. McConnell received 66.4 percent of the vote in 1952; 64.3 percent in 1954; 66.7 percent in 1956. President Eisenhower received 66.6 percent in 1952, 69.3 percent in 1956.

**Special Factors** -- Preston has pitched his campaign to the need for a "strong, vigorous national defense" and expansion of the "dangerously neglected guided missile program." LaFore has generally endorsed the Administration policies but has called for "lowered cost of Government." Observers watching for possible indication of political consequences of Russian satellite launching and trend of opinion on defense spending vs. economy in Government, particularly in view of Preston's scientific background.

## DEPRESSED AREAS

Democratic National Chairman Paul M. Butler Oct. 22 said "the record of the Eisenhower Administration with respect to depressed areas in our country is one of the greatest failures of the Republican party in the past five years. There appears to be an ever-increasing number of towns, cities and regions which are affected by economic conditions typical of depressed areas. There is growing unemployment caused by concentration of defense contracts in a few large industries, cancellation and cut-backs in other defense contracts, changes of consumption habits, relocation of industrial plants and other factors beyond the control of the affected areas."

## Third Party Possibility

Governors of three more southern states replied Oct. 21 to CQ's query on the prospects of a third party in 1960. (Weekly Report, p. 1189, 1209). Their statements:

• **Florida Gov. LeRoy Collins (D)** -- "There has been some discussion in the press but, so far as I am able to detect, very little popular support for a third-party movement in Florida. My own feeling, as I have expressed it repeatedly, is that a third-party movement would be most unwise and that the soundest course lies in working within the framework of the two existing major political parties."

• **Oklahoma Gov. Raymond Gary (D)** -- "In my judgment there is little, if any, impetus for a third party movement in Oklahoma. I feel the South would make a grave error if it promoted a third party movement in 1960. There is nothing to be gained. Both major political parties are committed to upholding the law of the land. The deep South will benefit itself most, in my opinion, by remaining within the framework of the Democratic party."

• **Virginia Gov. Thomas B. Stanley (D)** -- "There is no question that the conservative people of the southern states are greatly concerned by the 'liberal' trend of both national parties. However, I believe recent developments, particularly the series of Supreme Court decisions and the President's action in using Federal troops in Arkansas, may serve to arouse people throughout the country to the dangers inherent in disregard for constitutional principles. It is apparent that the basic issues no longer can be classified as sectional or pertaining only to the South. Consequently, I am hopeful that this will be reflected on the national political scene. I, of course, am a Democrat and have voted the Democratic ticket all my life. If we can revitalize the party as a truly Democratic party, I think we have much more to gain than by attempting to sponsor a third party movement. Thus far, I have observed no widespread sentiment in Virginia for a third party but certainly events between now and the next national convention could have an important influence on the people's thinking."

Allan Shivers (D), former Governor of Texas, Oct. 21 said "the true conservative of today is a man without a party" and said a third party was a certainty if Republicans and Democrats ignored "the true majority sentiment in the pursuit of minority bloc votes."

## BENSON POPULARITY

Rep. A.L. Miller (R Neb.) Oct. 24 said the Republicans would lose about six House seats in the Midwest in 1958 unless Secretary of Agriculture Ezra Taft Benson resigns or is fired. Miller said he would urge Benson's dismissal on Presidential Assistant Sherman Adams and Republican National Chairman Meade Alcorn. (Weekly Report, p. 372)



## GOV. WILLIAMS' LABOR RECORD

Michigan Gov. G. Mennen Williams (D) Oct. 21 released a letter explaining the labor relations history of the Mennen Co., of which he is a director and stockholder. Records of the company had been subpoenaed by the Senate Select Committee on Improper Activities in the Labor and Management Fields. Williams wrote Committee Chairman John L. McClellan (D Ark.):

The Mennen Co. in 1951-52 recognized a union of which racketeer Johnny Dio was an officer as bargaining agent for warehouse and production workers. The company was "acting in good faith" and had been "victimized" by Dio. (Weekly Report, p. 1026)

In 1953, after a jurisdictional fight left the workers without a union, the Mennen Co. employed as labor relations consultants a firm then associated with Nathan Shefferman, associate of Dave Beck's. (Weekly Report, p. 597, 1232)

He had no personal knowledge of these dealings because he was not actively involved in the management of the company.

Sen. Charles E. Potter (R Mich.) Oct. 24 said Williams should resign as director of the Mennen Co. and sell his stock or face charges of "condoning their union-busting tactics.... As a Mennen Co. director, Williams is fully responsible for the company's unsavory labor policies. Unquestionably he has been well informed of its record, but he has kept mum for years, masquerading as labor's pal.... Now the Governor is trying to save his political skin by making a clean breast of it all."

## State Roundup

**CALIFORNIA** -- Sen. Thomas H. Kuchel (R Calif.) Oct. 4 wired Sen. William F. Knowland (R Calif.) a pledge of support in Knowland's campaign for the GOP gubernatorial nomination. Kuchel told Knowland he was "highly and admirably qualified" for the job and said: "Of course, I shall support you." (Weekly Report, p. 1169)

**CONNECTICUT** -- Democrats made some gains in municipal elections Oct. 7. They held control of the industrial cities of Torrington and Bristol, but with smaller margins than in 1955. Of the smaller towns, 10 switched to the Democrats, five to the Republicans, 75 remained Republican and 34 remained Democratic.

**FLORIDA** -- The Florida legislature Oct. 9 passed a bill providing for the automatic closing of any school to which Federal troops were sent to enforce integration. The bill authorized the local school board to reopen the school when it decided the emergency was over. Gov. LeRoy Collins (D) signed the bill Oct. 12. (Weekly Report, p. 1169)

**MAINE** -- Sen. Frederick G. Payne (R Maine) Oct. 23 underwent surgery for the removal of gall bladder stones. (Weekly Report, p. 1141)

**MARYLAND** -- Judge Nellie Marie Marshall of Baltimore Orphans Court Oct. 26 announced her candidacy for the Democratic Senatorial nomination in 1958. She was the third announced candidate for the nomination. (Weekly Report, p. 1114, 1141)

**NEW JERSEY** -- Sen. Barry Goldwater (R Ariz.) Oct. 22 asked the Senate Select Committee on Improper Activities in the Labor and Management Fields to investigate the use of union funds in the New Jersey gubernatorial election. He said State Sen. Malcom S. Forbes (R), GOP candidate for governor, had charged the CIO was "pouring vast sums" into the campaign of his opponent, Gov. Robert B. Meyner (D).... Vice President Richard M. Nixon, campaigning in New Jersey, Oct. 23 called for a "resounding victory" for Forbes to bolster morale of the Republican party nationally.... Forbes Oct. 27 told Negro audiences that voting Republican was "the only way you can tell the President that he did right" in sending Federal troops to Little Rock. "I don't think any Negro can afford not to show support, in the only way he can, for what has been done by President Eisenhower and the Republicans in Congress," Forbes said.... Rep. Vincent J. Delly (R) Oct. 27 endorsed Meyner for reelection. (Weekly Report, p. 1224)

**NEW YORK** -- Registration in New York City for the Nov. 5 mayoral election totaled 2,450,107 when books closed Oct. 12, up 2.2 percent from the last mayoral election in 1953. Both Democrats and Republicans said the increased registration favored them. Most notable trend was the increased registration in the independent-minded Borough of Queens. Queens registration totaled 615,450, compared to 503,294 for Manhattan, which prior to 1952 had the larger registration of the two boroughs. In 1956, Queens gave President Eisenhower a plurality of 155,833 but elected Democrats to most of its seats in the House of Representatives and the state legislature.

**PENNSYLVANIA** -- Harold E. Stassen, special adviser to the President on disarmament matters, Oct. 27 said "it is quite likely" he "would come back to the active political arena in support of President Eisenhower and his objectives." Stassen has been widely reported considering a race for the Republican nomination for governor of Pennsylvania in 1958. (Weekly Report, p. 315).... The Philadelphia Registration Commission Oct. 18 announced more Democrats than Republicans were registered in Philadelphia for the first time in history. The Democrats led by 12,654 registrations -- 498,554 to 485,900. In 1956, Republicans led in city registration by about 30,000.

**VIRGINIA** -- The Richmond "Times-Dispatch" Oct. 19 reported Sen. Harry Flood Byrd (D Va.), 70, has decided to seek reelection in 1958. The newspaper said Byrd's decision was prompted by his concern over civil rights developments.... The Supreme Court Oct. 21 refused to hear Virginia's appeal from a lower court decision which held unconstitutional the state pupil placement law, mainstay of the "massive resistance" program against integration. State Senator Ted Dalton, Republican candidate for governor, called for a special session of the state legislature to substitute a locally administered pupil placement plan for the "massive resistance" laws. His rival, Democrat J. Lindsay Almond Jr., said the court decision had not changed his support of "massive resistance one iota." Gov. Thomas B. Stanley (D) declined to call the special session.

**WASHINGTON** -- Mrs. Marcia Westland Oct. 16 was awarded an uncontested divorce from Rep. Jack Westland (R Wash.) on grounds of desertion, cruelty and personal indignities.

## EYES FOCUS ON SIGNIFICANT JERSEY ELECTION

Political eyes focus on New Jersey Nov. 5 when the voters in that normally Republican state decide whether to reelect Democratic Gov. Robert B. Meyner or to elect a Modern Republican, State Sen. Malcolm S. Forbes.

The election is one of two gubernatorial elections in 1957 and the only one outside the South. The other is in Virginia where the campaign has settled on only one issue -- school integration.

Voters and party professionals look to New Jersey for clues as to what will happen in the 1958 Congressional elections and the Presidential election of 1960.

The similarities of Meyner and Forbes have resulted in the campaign centering on issues rather than on personalities. Both candidates are young -- Meyner is 49, Forbes is 38 -- and tireless campaigners. They have an ivy-leaguish attractiveness and scandal-free family life. Both served in the state legislature and have an intimate knowledge of most local and statewide problems. Both are fairly good speakers, but neither is a spell-binder. And neither is building his campaign directly on President Eisenhower -- Forbes is soft-pedaling his support of the President while Meyner is not lambasting Mr. Eisenhower.

Political observers in the state say Forbes stopped portraying himself as an all-out Eisenhower supporter after Gov. Walter J. Kohler's (R) defeat in Wisconsin's Senate race Aug. 27 (Weekly Report, p. 1045). Meyner needs Republican votes to win, so it is understandable why he is not attacking President Eisenhower. Meyner is even playing down his party affiliation to the point that his billboard advertising does not label him a Democrat.

Forbes has been receiving an increasing amount of help from the Eisenhower Administration. Vice President Richard M. Nixon Oct. 23 began stumping the state. Other Administration officials who have appeared include Bernard M. Shanley, the President's appointments secretary, Secretary of Interior Fred A. Seaton, Secretary of Commerce Sinclair Weeks, Secretary of Labor James P. Mitchell and Deputy Secretary of Defense Donald A. Quarles. The National Republican Committee is laying heavy stress on a victory in New Jersey to refire party enthusiasm lost in the Wisconsin defeat. GOP National Chairman Meade Alcorn also has been campaigning for Forbes, and L. Richard Guylay, former GOP National Committee public relations director, is handling Forbes' public relations.

Mr. Eisenhower's pull with Jersey voters was demonstrated in 1952 when he received 56.8 percent of the total vote; in 1956 he received 64.7 percent of the vote. Republican strategists have decided this popularity should be exploited. Meyner refused outside help, saying New Jerseyites resent being told how to vote.

As for the parties themselves in New Jersey, both still show splits. Meyner is not certain of unified Democratic support in Hudson County, where a large vote is needed to neutralize heavy Republican pluralities in other counties. Forbes has not won over many of the Republican Old Guard.

Hudson County in 1953, under John V. Kenny's rule, gave Meyner 160,000 votes, the largest vote for either candidate in any county. The vote resulted in a 71,000 Democratic majority in Hudson, almost half of Meyner's statewide majority (see next page). But in the Jersey City election of last May 14, Kenny's slate was defeated. The anti-Kenny ticket won four of the five commission seats.

State Sen. James F. Murray Jr., high man on the anti-Kenny "Victory Ticket," emerged as the Democratic leader of Hudson. Traditionally, the Democratic leader of Jersey City rules the county as well as the city -- usually from the mayor's office.

Because of this countywide power, Kenny before the Jersey City commission election had filed a Democratic slate for Hudson County and state offices to be voted on Nov. 5. The "Victory Ticket" filed an independent slate of its own. So Gov. Meyner, after Kenny's defeat, faced this dilemma: Should he desert his old ally, Kenny, and recognize Murray and his county and state slate in order to get the all-important Hudson vote? Or should he stick by Kenny and his county and state ticket in hopes the toppled leader still had enough support to round up the Democratic vote on Nov. 5?

### Harmony Talks

Post election harmony talks between the Kenny and Murray camps took a twisting route. Murray offered to withdraw his countywide slate and support Meyner if the governor would distribute Hudson County patronage through Murray. Kenny offered to substitute some of Murray's candidates on the Kenny slate for the pro-Kenny ones. But the county and state nominations Kenny offered did not suit the Murray forces, so the offer was refused. Then on Oct. 1, after a conference at Meyner's home, Murray announced his slate would be withdrawn. Deadline for such a withdrawal was Oct. 2. "The understanding was very satisfactory to me personally," Murray said. "We will support the governor with every means at our disposal but we will have nothing to do with the remainder of the Kenny ticket."

The reported basis of agreement between Meyner and Murray involved Meyner's routing most Hudson County patronage through Murray. Despite the last-minute withdrawal of the insurgent slate, it was a question whether the feuding Murray and Kenny could unite behind Meyner for governor while still fighting on other political levels.

Forbes' party troubles stem largely from stepping on the toes of Republican leaders. He unsuccessfully fought the party's choice for governor in 1953 -- Paul L. Troast -- in a bitter 1957 primary campaign. At the same time he criticized the Republican-controlled legislature's caucus system whereby no bill gets to the floor for a vote unless a majority is behind it. After winning the 1957 Republican primary, Forbes tried to fire State Republican Chairman Samuel L. Bodine. Party leaders rebelled and Bodine kept his job, but resentment against Forbes within the Republican party increased.

## Principal Issues

On the hustings, Meyner and Forbes have battled principally over law enforcement and state finances. The highlights of their arguments on these principal issues:

• **LAW ENFORCEMENT** -- Chief issue is whether Meyner and his administration handled an alleged embezzlement of insurance funds properly. John R. Cooney of Maplewood, former president of Firemen's Insurance Co., principal firm in the Loyalty Insurance Group of Newark, has been indicted for allegedly embezzling \$262,000. The Republican majority of the five-member State Law Enforcement Council Oct. 5 said in its report that Meyner's administration was guilty of "a major breakdown in the law enforcement machinery of the state" because it took so long to investigate the insurance scandal. The majority said the Department of Banking and Insurance had evidence in May, 1955, but disclosure did not come until February, 1957. The two-member Democratic minority on the Council said there was no evidence against Cooney until February, 1957, and that "there was absolutely no crime, corruption, or impropriety or evil intent on the part of any state official."

Forbes, since the report was released, has hammered away on the issue, challenging Meyner to appear before the Council to testify on "the shocking cover-up of the \$2 million insurance scandal." Forbes demanded that Meyner dismiss his attorney general and banking and insurance commissioner because they "were derelict in their duties" in concealing insurance scandal evidence.

Meyner Sept. 14 made public a report by Edwin W. Patterson, a Columbia University law professor, about the Department of Banking and Insurance's role in the insurance scandal. The report said the State Law Enforcement Council's probe of that department "failed to turn up any evidence of malice, corruption or dishonesty in the insurance bureau....(but) raised some doubt as to the promptness and efficiency with which the New Jersey officials and employees uncovered wrongdoing...." Patterson also said Meyner's attorney general had referred the case for prosecution at the proper time. Meyner has not attempted to rebut Forbes' day-to-day charges, has attacked the Republican majority on the Council personally and charged their report was politically motivated.

• **STATE FINANCES** -- Meyner contends his administration has resulted in efficient handling of public money. He says New Jersey's tax rate per person is the lowest in the Nation, that the state has fewer state employees in proportion to population than all but two other states and contends his administration has regained the highest credit rating for the state and reduced the debt \$34 million.

Meyner says the state budget's 44 percent rise over the last Republican budget is a reasonable increase.

Forbes claims "Gov. Meyner has the dubious distinction of being the biggest spender in the history of New Jersey. If Mr. Meyner should be reelected the price we all will have to pay will be additional taxes. He will need a state income tax, a state sales tax or a combination of both to finance his plans." Forbes repeatedly says in his campaign appearances, "The choice is very simple -- either new taxes or a new governor."

Meyner has countered that Forbes in a signed Forbes Magazine article in 1951 advocated a national sales tax and

in 1954 introduced a bill in the state legislature to provide for a state income tax. Both party platforms oppose new state taxes.

The Republican-controlled state legislature cut Meyner's \$342 million state budget for 1957-58 by \$10 million. Meyner June 29 called the cuts "reckless."

## Biographical Data

• **MALCOLM STEVENSON FORBES** -- Born in New York City Aug. 19, 1919; graduated cum laude from Lawrenceville Academy in 1937 and from Princeton with honors in 1941. Married Roberta Remsen Laidlaw Sept. 21, 1946. They have four sons and a daughter. In 1954 became publisher-editor of Forbes Magazine of Business, founded by his father; elected to state senate in 1952 and served there since; unsuccessfully ran for Republican gubernatorial nomination in 1953; served in Army infantry, 1942-45, received Bronze Star and Purple Heart; named N.J. Junior Chamber of Commerce Young Man of the Year in 1951; resides in Far Hills, works in New York City.

• **ROBERT BAUMLE MEYNER** -- Born in Easton, Pa., July 3, 1908; worked his way through Lafayette College, graduating with an A.B. degree in 1930; received law degree from Columbia University in 1933, admitted to New Jersey Bar in 1934; practiced law in Phillipsburg; elected to New Jersey senate in 1947 and served as minority leader, 1950; elected governor 1953; served as Navy lieutenant commander, 1942-45; married Helen Stevenson on Jan. 19, 1957.

## 1953 Voting for Governor

Although New Jersey usually elects Republicans as governors (the last Democratic governor was Charles Edison who served from 1941 to 1944), a close race is predicted for 1957. This was the county-by-county voting in 1953 when Meyner (D) won out over Paul L. Troast (R) in the gubernatorial race. Note the size of the Democratic vote in Hudson County.

County	Total Vote	GOP	Dem.	Plurality
Atlantic	55,002	35,452	19,481	15,971 R
Bergen	230,500	115,605	110,530	5,075 R
Burlington	43,393	20,043	23,236	3,193 D
Camden	111,002	41,867	68,183	26,316 D
Cape May	18,522	11,957	6,531	5,426 R
Cumberland	30,270	15,716	14,420	1,296 R
Essex (Newark)	278,470	127,782	141,996	14,214 D
Gloucester	36,380	18,216	18,012	204 R
Hudson	260,940	89,501	160,425	70,924 D
Hunterdon	16,291	7,628	8,513	885 D
Mercer	79,831	28,351	50,624	22,273 D
Middlesex	116,466	40,685	72,592	31,907 D
Monmouth	82,135	43,046	38,615	4,431 R
Morris	63,883	36,100	26,899	9,201 R
Ocean	25,815	16,326	9,302	7,024 R
Passaic	129,396	60,599	68,852	5,253 D
Salem	17,656	7,694	9,919	2,225 D
Somerset	34,275	15,737	17,921	2,184 D
Sussex	14,458	7,566	6,727	839 R
Union	141,982	61,973	76,144	14,171 D
Warren	24,145	7,224	16,788	9,564 D
<b>TOTAL</b>	<b>1,810,812</b>	<b>809,068</b>	<b>962,710</b>	<b>153,642 D</b>



## SATELLITE, MISSILE PROGRAM

Sens. Styles Bridges (R N.H.) and John J. Sparkman (D Ala.) Oct. 23 criticized Administration handling of the missile and satellite programs, and Sen. Mike Mansfield (D Mont.) Oct. 24 proposed creation of a new Cabinet post -- Secretary of Research and Development -- to spur the United States program. Bridges singled out an Oct. 21 statement by Special Presidential Adviser Clarence B. Randall that the Soviet satellite was a "silly bauble," and said it reflected "either ignorance of the facts or an attempt to confuse and mislead the American people." Sparkman said it was "a terrible thing that President Eisenhower has been so complacent about Russia's progress...." (Weekly Report, p. 1211)

Sen. Wayne Morse (D Ore.) proposed a program including subsidization of students in science and engineering in return for their later services; expansion of the National Science Foundation; and teaming-up of U.S.-West European scientists in research-development projects.

## NUCLEAR SECRETS

Administration proposals to relax the Atomic Energy Act ban on allied exchange of nuclear information, spurred by the Oct. 23-26 conference of President Eisenhower and British Prime Minister Harold Macmillan, met with both approval and opposition on Capitol Hill. Senate Democratic Leader Lyndon B. Johnson (Texas) Oct. 24 said the existing ban was an "obstacle" to free nations' progress in the satellite and missiles field. Sen. Estes Kefauver (D Tenn.) Oct. 25 said he would support any legislation needed for a scientific exchange of information. (Weekly Report, p. 1207, 1228)

"Grave concern" over the proposals was expressed Oct. 24 by Rep. Francis E. Walter (D Pa.), who said: "We have absolutely no guarantee that such an exchange will not simply provide the Kremlin with a regular bulletin of our scientific developments." Sen. Clinton P. Anderson (D N.M.) Oct. 28 said he did not trust the British security system, and that the Joint Atomic Energy Committee "is going to be very, very careful about what it does in relaxing our secrecy law."

## LITTLE ROCK INTEGRATION

Arkansas Gov. Orval E. Faubus (D) Oct. 25 "accepted back" into state service 8,500 defederalized National Guardsmen, after Oct. 24 stating he would take "all or none," and Oct. 23 questioning whether the Guardsmen could revert to their original status. Faubus Oct. 25 wired the President and Army Secretary Wilber M. Brucker demands for immediate deactivation of all Guardsmen, and telegraphed Chairman Richard B. Russell (D Ga.) of the Senate Armed Services Committee for an investigation of the "flagrant...evasion of the Selective Service Law" through partial Federal retention of Guardsmen. (Weekly Report, p. 1211)

Reduced tension was evidenced at integrated Central High School when eight Negro students Oct. 24 entered the school without a military escort for the first time, although troops continued on duty inside the building.

## Eisenhower Meets Press

President Eisenhower Oct. 31 told the 25th news conference of his second term -- the first since Oct. 9 -- he would attend the Dec. 16-18 NATO conference at Paris if a majority of NATO heads of state are there. Before leaving, he said, he would discuss the meeting with a bipartisan group of Congressional leaders "in the tradition of bipartisan responsibility for keeping the country on a single track in international relations."

The President also said:

In answer to what he hoped would be accomplished at the NATO meeting, "...My experience at Panama last year in meeting with heads of government convinced me that there is much to be accomplished in awakening interest of all our people in common, in cooperative problems.... I sincerely want to do my part in keeping all our peoples, as well as governments, interested in the NATO concept of collective security and defense. I believe it is one of our most important organizations for free world security, and I believe that its usefulness can be even further broadened. That is the reason I want to talk to the leaders of Congress in advance, and it is one of the reasons for going."

It "has not even been mentioned or discussed" that Members of Congress accompany the President to the meeting. "I don't think other countries would have" parliamentary representatives "and therefore I don't think our Congressmen would want to go."

"It would be a great big shot in the arm for some people that need it if we can elect...Mr. (Malcolm S.) Forbes as governor (of New Jersey), and personally I am for it." (Weekly Report, p. 1224)

"With respect to the (membership of the civil rights) commission, we have been working on it for weeks, but to get the people of the national character you want, you have to consult people who are, by the very nature of their standing, so involved in...work... that it is difficult to get exactly whom you want. ...We want to get the very best one (commission) that it is possible to get, and that is the reason it has taken some time."

He thought the commission should be composed of "men of national reputations so that their...findings...will be respected.... I think that we should, so far as possible, have represented on the commission all types of thinking. ...I am particularly anxious that we have people...whose reputation is that of being of a judicial turn of mind...."

The situation was improving daily at Little Rock, Ark., Central High School, and he "most devoutly" hoped and prayed "that we soon can be confident enough of the situation that we can remove all Federal force...."

Rising prices would make it difficult to keep the fiscal 1959 budget to \$70 billion, or the defense part of the budget to \$38 billion.



## Capitol Briefs

### DEFENSE SPENDING

The Defense Department Oct. 29 announced it had been authorized "by higher authority" to exceed by \$400 million the \$19 billion spending ceiling imposed on it by the Budget Bureau for the first six months of fiscal 1958. Secretary of Defense Neil H. McElroy said the Department's previously announced \$38 billion spending limit for the whole of fiscal 1958 was an "objective" that should not "jeopardize essential programs." He added, however, that the "pressure for economy still is on." McElroy Oct. 28 revoked on Aug. 17 order by his predecessor, Charles E. Wilson, that would have cut spending by at least \$170 million. (Weekly Report, p. 1211)

### PASSPORT POLICY

The U.S. Court of Appeals Oct. 24 upheld the right of the Secretary of State to deny a passport on the basis of confidential information, and said the data need not be disclosed if it involved the national security. The decision upheld a February, 1956, lower court ruling of "reasonable exercise of discretion" by Secretary of State John Foster Dulles in his 1954 denial of a passport to Weldon Bruce Dayton, cosmic ray physicist, for study in India. Dulles said evidence showed Dayton's trip would be "contrary to the national interest" because it would "advance the Communist movement."

Sen. Thomas C. Hennings Jr. (D Mo.) Oct 25 said the ruling was evidence Congress "must assume its responsibility in the field of passport control," and that he would introduce passport legislation when Congress reconvened. (Weekly Report, p. 803)

### DULLES CRITICIZED

Demands for the resignation of Secretary of State John Foster Dulles were made Oct. 22 by Sens. Hubert H. Humphrey (D Minn.) and Joseph S. Clark (D Pa.). Humphrey, in an interview, said, "American foreign policy is in such trouble...its architect should resign.... If he doesn't, the President should ask for his resignation." Clark told a Democratic rally, "We must get rid of Dulles and get rid of him quick." Clark Oct. 25 recommended appointment of Under Secretary of State Christian Herter to the post.

### MIDDLE EAST

Henry Cabot Lodge, U.S. Ambassador to the United Nations, Oct. 25 said the United States "will not be stopped by threats or by defamation from continuing to offer its understanding and support" to Middle East nations threatened by the Soviet Union. In an address before the UN General Assembly, Lodge said Russia had created "an artificial war scare...to further its expansionist purposes." (Weekly Report, p. 1188)

### FOREIGN AID

The Department of Commerce Oct. 27 said the United States extended 7 percent less foreign aid in fiscal 1957 than in 1956, with the total value of goods, services and cash distributed abroad totalling \$4.75 billion compared with \$5.1 billion the previous year. Military aid in fiscal 1957 was valued at \$2.4 billion, other aid at \$2.35 billion, the Department said.

### TAX INCENTIVES

The National Science Foundation, in a report to the President on "Basic Research - A National Resource" released Oct. 27, said the Federal Government "must assume active leadership" in encouraging scientific research, and recommended tax law changes to provide research incentives. The report proposed a redefinition of tax exemption privileges now accorded nonprofit research institutes, changes in Federal income tax laws to stimulate private philanthropic contributions for basic research, and a trial program of Federal grants in aid to states to increase their financial participation in basic research.

### HEALTH REINSURANCE PROGRAM

Secretary Marion B. Folsom of the Department of Health, Education and Welfare Oct. 25 told a news conference he thought there was a "good chance" for 1958 legislation permitting small health insurance companies to pool resources for expanded insurance coverage. The Department proposed such pooling both in 1956 and 1957 (S 1750), but Congress has taken no action. Folsom also said HEW was working on a new school construction bill.

### SCHOOL AID

Rep. Cleveland M. Bailey (D W.Va.), Chairman of the House Education and Labor General Education Subcommittee, Oct. 29 said he intended to keep any bill to provide Federal aid to education within the Subcommittee in 1958. Bailey said politics, the school segregation issue and Democratic irritation with President Eisenhower's leadership in 1957 all contributed to his decision to pigeonhole additional legislation. "Until such time as President Eisenhower can show a majority of his own party is in favor of the legislation, I am not going to take any action," he said. The 1957 bill (HR 1) was killed July 25 by a 208-203 roll-call vote, with a majority of Republicans voting against the bill and a majority of Democrats voting for it. (Weekly Report, p. 906)

### LABOR PROGRAM

Secretary of Labor James P. Mitchell Oct. 25 said President Eisenhower's 1958 labor legislative requests would include proposals to require filing of union treasury and welfare fund data for public disclosure, and to change the Taft-Hartley Act to "strengthen rights of individual union members and the whole collective bargaining system." Mitchell told a convention of the Confederated Unions of America the Administration's aim was to correct labor union abuses, but not to rush "headlong into punitive legislation." (Weekly Report, p. 1229)

### REA EXPANSION

Rural Electrification Administrator David A. Hamil Oct. 22 said if current REA expansion continued "as indicated," expenditure of \$1 billion a year would be needed by 1975 to finance the program. Hamil said Congress must determine how to meet the potential growth in rural electric power requirements. REA approved \$300.5 million in loans in fiscal 1957, Hamil said, while fiscal 1956 loans totalled only \$189 million. (Weekly Report, p. 1212)

## EISENHOWER-MACMILLAN STATEMENT PLEDGES GREATER UNITY OF AIMS

Following is the text of an Oct. 25 joint statement issued by President Eisenhower and British Prime Minister Harold Macmillan (Weekly Report, p. 1207):

The President of the United States and the Prime Minister of the United Kingdom at the end of three days of meetings at which they were assisted by the Secretary of State and the Foreign Secretary and other advisers, issued the following statement:

### I

We have met together as trusted friends of many years who have come to head the governments of our respective countries. These two countries have close and historic ties, just as each has intimate and unbreakable ties with other free countries.

Recognizing that only in the establishment of a just peace can the deepest aspirations of free peoples be realized, the guiding purpose of our deliberations has been the determination of how best to utilize the moral, intellectual and material strength of our two nations in the performance of our full share of those tasks that will more surely and promptly bring about conditions in which peace can prosper. One of these tasks is to provide adequate security for the free world.

The free nations possess vast assets, both material and moral. These in the aggregate are far greater than those of the Communist world. We do not ignore the fact that the Soviet rulers can achieve formidable material accomplishments by concentrating upon selected developments and scientific applications, and by yoking their people to this effort. Despotisms have often been able to produce spectacular monuments. But the price has been heavy. For all peoples yearn for intellectual and economic freedom, the more so if from their bondage they see others manifest the glory of freedom. Even despots are forced to permit freedom to grow by an evolutionary process, or in time there will be violent revolution. This principle is inexorable in its operation. Already it has begun to be noticeable even within the Soviet orbit. If the free nations are steadfast, and if they utilize their resources in harmonious cooperation the totalitarian menace that now confronts them will in good time recede.

In order, however, that freedom may be secure and show its good fruits, it is necessary first that the collective military strength of the free nations should be adequate to meet the threat against them. At the same time, the aggregate of the world's military expenditure must be kept within limits compatible with individual freedom. Otherwise we risk losing the very liberties which we seek to defend.

These ideas have been the central theme of our conversations which, in part, were participated in by Mr. Spaak, the Secretary-General of NATO.

In application of these ideas, and as an example which we believe can and should spread among the nations of the free world, we reached the following understanding:

### II

- 1. The arrangements which the nations of the free world have made for collective defense and mutual help are based on the recognition that the concept of national self-sufficiency is now out of date. The countries of the free world are interdependent and only in genuine partnership, by combining their resources and sharing tasks in many fields, can progress and safety be found. For our part, we have agreed that our two countries will henceforth act in accordance with this principle.

- 2. Our representatives to the North Atlantic Council will urge an enlarged Atlantic effort in scientific research and development in support of greater collective security and the expansion of current activities of the Task Force working in this field under the Council's decision of last December.

- 3. The President of the United States will request the Congress to amend the Atomic Energy Act as may be necessary and desirable to permit of close and fruitful collaboration of scientists and engineers of Great Britain, the United States, and other friendly countries.

- 4. The disarmament proposals made by the Western representatives on the Disarmament Subcommittee in London and approved by all members of NATO are a sound and fair basis for an

agreement which would reduce the threat of war and the burden of armaments. The indefinite accumulation of nuclear weapons and the indiscriminate spreading of the capacity to produce them should be prevented. Effective and reliable inspection must be an integral part of initial steps in the control and reduction of armaments.

- 5. In the absence of such disarmament as we are seeking, international security now depends, not merely on local defensive shields, but upon reinforcing them with the deterrent and retaliatory power of nuclear weapons. So long as the threat of International Communism persists, the free nations must be prepared to provide for their own security. Because the free-world measures are purely defensive and for security against outside threat, the period for which they must be maintained cannot be foreseen. It is not within the capacity of each nation acting alone to make itself fully secure. Only collective measures will suffice. These should preferably be found by implementing the provisions of the United Nations Charter for forces at the disposal of the Security Council. But if the Soviet Union persists in nullifying these provisions by veto, there must otherwise be developed a greater sense of community security. The framework for this exists in collective defense arrangements now participated in by nearly 50 free nations, as authorized by the Charter. All members of this community, and other free nations which so desire, should possess more knowledge of the total capabilities of security that are in being and in prospect. There should also be provided greater opportunity to assure that this power will in fact be available in case of need for their common security, and that it will not be misused by any nation for purposes other than individual and collective self-defense, as authorized by the Charter of the United Nations.

For our part we regard our possession of nuclear weapons power as a trust for the defense of a free world.

- 6. Our two countries plan to discuss these ideas with all of their security partners. So far as the North Atlantic Alliance is concerned, the December meeting of the North Atlantic Council may, perhaps, be given a special character in this respect. This has been discussed with the Secretary-General of NATO, Mr. Spaak.

- 7. In addition to the North Atlantic Treaty, the Southeast Asia Collective Defense Treaty, the Baghdad Pact and other security arrangements constitute a strong bulwark against aggression in the various treaty areas. There are also vitally important relationships of a somewhat different character. There is the Commonwealth; and in the Western hemisphere the Organization of American States. There are individual mutual defense agreements to which the United States is a party.

- 8. We recognize that our collective security efforts must be supported and reinforced by cooperative economic action. The present offers a challenging opportunity for improvement of trading conditions and the expansion of trade throughout the free world. It is encouraging that plans are developing for a European Free Trade Area in association with the European Common Market. We recognize that especially in the less developed countries there should be a steady and significant increase in standards of living and economic development.

- 9. We took note of specific factors in the ideological struggle in which we are engaged. In particular, we were in full agreement that:

Soviet threats directed against Turkey give solemn significance to the obligation, under Article 5 of the North Atlantic Treaty, to consider an armed attack against any member of the Alliance as an attack against all; the reunification of Germany by free elections is essential. At the Geneva Conference of 1955 Messrs. Khrushchev and Bulganin agreed to this with us and our French allies. Continued repudiation of that agreement and continued suppression of freedom in Eastern Europe undermine international confidence and perpetuate an injustice, a folly and a danger.

### III

The President and the Prime Minister believe that the understandings they have reached will be increasingly effective as they become more widespread between the free nations. By coordinating the strength of all free peoples, safety can be assured, the danger of Communist despotism will in due course be dissipated, and a just and lasting peace will be achieved.



## LABOR'S POSITION UNDER THE ANTITRUST LAWS

The special Senate probe, headed by Sen. John L. McClellan (D Ark.), into the activities of the Teamsters and other unions has revived talk of legislation to end organized labor's effective immunity from prosecution under the antitrust laws. Sen. Irving M. Ives (R N.Y.) Aug. 16 advocated putting unions under "fair" antitrust laws to curb "irresponsible" leaders. Sen. John Marshall Butler (R Md.) Oct. 12 said special treatment of unions "is no longer justified," and said he would support legislation "to eliminate this discrimination." The Eisenhower Administration is studying the matter, although Secretary of Labor James P. Mitchell is on record against extension of the antitrust laws to unions. Organized labor has opposed the proposal in the past, while it has been supported by the National Assn. of Manufacturers and the Chamber of Commerce of the U.S.

### Early Legislation

Labor's current position under the antitrust laws is as much the result of judicial interpretation as of statutory action. When Congress passed the Sherman Act in 1890, declaring illegal "every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several states," no one considered that the Nation's first antitrust law had any relation to the then developing labor movement. But in 1908 the Supreme Court decided otherwise, in the *Danbury Hatters*' case.

Here a hat workers' union, unsuccessful in its efforts to organize one manufacturer's plant, staged a Nationwide secondary boycott against his hats. Members of other unions affiliated with the American Federation of Labor cooperated in refusing to buy the hats or to patronize merchants who sold them. The manufacturer sued for triple damages under the Sherman Act and won a judgment for more than \$500,000. The Supreme Court sustained the judgment, holding that the union's interference with the sale of hats in interstate commerce came within the meaning of "restraint of trade."

The *Danbury Hatters*' decision was a severe blow to the labor movement. Reviewing this "notorious" decision in testimony before the House Judiciary's Antitrust Subcommittee in 1955, Andrew J. Biemiller, representing the AFL, said: "In the face of this threat to their very existence, is it any wonder that all organized labor actively campaigned to show the Congress and the public the wide gulf between action necessary to curb business evils and the action that had actually been taken to stifle union organization?"

Labor's campaign culminated in the enactment of the Clayton Act in 1914. Section 6 (see box above) said that labor organizations, as such, were not illegal, while Section 20 barred injunctions, "in any case between an employer and employees," against specified types of union self-help activity, none of which were to "be considered or held to be violations of any law of the United States." The language of Sections 6 and 20 soon proved deceptive,

### "Labor...Is Not a Commodity"

In the Clayton Act of 1914, Congress sought to clarify labor's special position under the antitrust laws. Section 6 (15 U.S.C. 17) provides:

"The labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the antitrust laws."

however. Charles O. Gregory states, in his *Labor and the Law* (1946): "What the unions wanted the (Supreme) Court to read into Section 6 was a pronouncement that the Sherman Act would not apply to them at all. But Congress had very carefully refrained from saying just that, although it would have been so easy to say it if Congress had desired that result."

In two major cases decided in the 1920s, the Supreme Court ruled, in effect, that the protection of Section 20 did not extend to secondary boycotts. In the *Duplex Printing* case (1921), a non-union Michigan manufacturer of printing presses sought an injunction against the refusal of New York craft unions to install his presses or to work for anyone who used them. In the *Bedford Cut Stone* case (1927), stone cutters employed by contractors in several states refused to handle any of the plaintiff's non-union products. In both cases, the Court held that Section 20 covered only the activities of employees vis-a-vis their own employer, and that the boycotts in question were thus illegal. Justice Brandeis dissented on both occasions, arguing in *Duplex* that both common law and statute affirmed "the rights of industrial combatants to push their struggle to the limits of the justification of self-interest."

In the *Coronado Coal* cases (1922 and 1925), the Court put a further crimp in union organizing activities. The *United Mine Workers*, as part of a drive to unionize all mines, had shut down the *Coronado* mine, and the company sued for damages on the grounds of restraint of trade. Chief Justice Taft, for the Court, ruled that the strike had resulted in only an "indirect" restraint and was therefore not illegal. But he hinted that the strike would have been illegal if it had been shown that the union intended to keep non-union produced coal out of interstate markets. The company so alleged, in the second *Coronado* case, and the Court affirmed a judgment against District 21 of the UMW for more than \$500,000.



## Reaction to Court

At this period, says Gregory, "all nationally affiliated unions were thoroughly committed to the necessity of the universal closed shop (since) no union could endure competition in any national market between its own union-made goods and non-union-made goods produced more cheaply.... Yet in one fell swoop the Supreme Court's Coronado decisions had condemned this economic program -- or at least organized labor's only lawful means of pursuing it -- as an offense under the Sherman Act."

Reaction to the Court's narrow view of Section 20 in the Duplex and Bedford Cut Stone cases paved the way for passage of the Norris-LaGuardia Anti-Injunction Act of 1932. The troublesome language of Section 20 was clarified by defining a "labor dispute" as "any controversy concerning terms or conditions of employment...regardless of whether or not the disputants stand in the proximate relation of employer and employee."

The antitrust implications of Norris-LaGuardia were first tested in the Hutheson case (1941). This arose from a jurisdictional strike by the carpenters union against Anheuser-Busch, accompanied by a secondary boycott against the company's beer. The Supreme Court ruled, in effect, that the Norris-LaGuardia Act had overruled the Duplex construction of Section 20 of the Clayton Act. The latter provision, Justice Frankfurter now declared for the Court, "relieved such practices of all illegal taint by the catch-all provision" declaring that none of the specified acts were to be held as "violations of any law of the United States." Dissenting, Justice Roberts wrote: "I venture to say that no court has ever undertaken so radically to legislate where Congress has refused so to do."

Of the Hutheson decision, Gregory says: "Justice Frankfurter virtually took organized labor entirely out from under the Sherman Act.... If the Court retains as gospel the doctrine of the Hutheson case, then labor organizations can safely afford to forget the Sherman Act and may impose market restraints almost at will." Since 1941, the Court has narrowed its doctrine in Hutheson in only one major respect. In the Allen-Bradley case (1945), the Court approved an injunction against electrical workers in New York who were charged with conspiring with their employers to keep out-of-state equipment out of the local market.

Absent of any showing of employer-employee collusion however, unions are substantially free of antitrust restraints, even when their activities are unrelated to organization goals. In *Hunt v. Crumboch* (1945), for example, the Court permitted a truck drivers' union to drive an employer out of business because of a grudge, even though he had capitulated to the union's demands. In his dissent, Justice Jackson said: "This Court permits to employees the same arbitrary dominance over the economic sphere which they control that labor so long, so bitterly and so rightly asserted should belong to no man."

## Legislative Proposals

In his book, *The Bottlenecks of Business* (1940), Thurman Arnold, then in charge of the Antitrust Division of the Justice Department, cited five typical union practices he thought should be brought under the Sherman Act:

- Use of economic pressure to prevent the use of cheaper materials, improved equipment and more efficient methods, prevalent in the building trades.
  - Compulsion to hire unnecessary labor, as by the musicians' union.
  - Systematic use of union power for extortion and to compel payments of graft.
  - Coercion to compel observance of illegally established commodity prices.
  - Undertakings to disrupt already established collective bargaining relations, as in jurisdictional strikes.
- During Senate debate before passage of the Taft-Hartley Act of 1947, Sen. Harry Flood Byrd (D Va.) and three colleagues proposed an amendment to the Norris-LaGuardia and Clayton Acts to outlaw secondary boycotts and jurisdictional strikes. The amendment was defeated 28-62, but a substitute was approved making such boycotts and strikes subject to the jurisdiction of the National Labor Relations Board, leaving unions free from criminal penalties. A ban on industry-wide bargaining, included in the House bill, was narrowly defeated in the Senate 43-44, and dropped out in the conference version. (1947 Almanac, p. 286)

In statements filed with the House Antitrust Subcommittee in 1955, both the Chamber of Commerce of the U.S. and the National Assn. of Manufacturers urged Congress to curb the "monopoly power" of organized labor by amending the antitrust laws. The Chamber cited, as "abuses of economic power" which should be prohibited, industrywide bargaining, secondary boycotts and featherbedding practices. The NAM proposed extension of the Sherman Act to prohibit "contracts, combinations, or conspiracies between local unions, whether or not affiliated, where the purpose or necessary effect thereof is unreasonably to impair, diminish, impede, obstruct or prevent the production or movement of goods for or in interstate commerce."

Organized labor's position was set forth during the same hearings by Arthur J. Goldberg, CIO general counsel. There is general recognition, he said, of the concept embodied in Section 6 of the Clayton Act that "competition among workers in the sale of their labor is not properly comparable to competition among sellers in the sale of commodities." He added:

"It is, therefore, improper and misleading to apply the concepts of 'monopoly' and 'restraint of trade' to organizations of working men. The law frowns on combinations among businessmen to raise the price of their products, but it does not and should not frown upon the combination of individual workers into unions to raise the price of their labor. When a monopoly exists in business an individual corporation or a group of corporations fixes the level of production and prices which will maximize profits. On the other hand, when workers band together in a union they do so for the purpose of increasing their wages and improving their living conditions. These practices are in the interest not only of the workers who band together but of the economy as a whole, since as wages and living standards improve, our economy expands. In contrast, as business monopolies increase and grow strong, the economy contracts."

The failure of Congress to circumscribe labor's immunity under the antitrust laws stems, at least in part, from the difficulty of drawing the statutory line between legitimate union activity and those practices revealed by the McClellan Committee which the AFL-CIO itself condemns.



# Pressures On Congress

## AFL-CIO SUSPENDS THREE UNIONS

The AFL-CIO executive council Oct. 24 suspended "immediately" the 1.4-million-member International Brotherhood of Teamsters on charges of "corrupt influences." The next day, on similar charges, the council suspended as of Nov. 15 the 138,000-member Bakery and Confectionery Workers International Union and the 40,000-member United Textile Workers of America.

The resolution suspending the Teamsters, adopted by a vote of 24-5, contained two conditions to which the Teamsters must "promptly" consent or face a council recommendation for expulsion at the Dec. 5 AFL-CIO convention. The conditions:

- "To remove and bar from office...those named by this executive council in its Sept. 25 report as being responsible for the abuses referred to in that report." Named were Vice Presidents James R. Hoffa, now president-elect, Sidney L. Brennan and Frank Brewster.

- "That a special committee appointed by the executive council...shall be given authority to direct such actions as the committee deems appropriate to correct the abuses set forth in the report of the ethical practices committee." (Weekly Report, p. 1148)

The executive council resolution concluded: "The suspension can be lifted at any time that the union complies with the council's directive to eliminate corrupt influences from positions of leadership."

The Textile Workers were ordered to oust President Anthony Valente and Southern Regional Director Joseph Jacobs in addition to cancelling a plan to give former Secretary-Treasurer Lloyd Klenert compensation amounting to \$104,000 over a 20-year period. The Bakery Workers were told to remove their president, James G. Cross, and to reinstate Secretary-Treasurer Curtis R. Sims. Sims spearheaded a drive to remove Cross from the union's presidency but failed and was ousted instead. Also on Oct. 24 the council ruled the 80,000-member Allied Industrial Workers had cleared itself of "corrupt influences" sufficiently to resume good standing in the AFL-CIO.

## TEAMSTERS IN COURT

Federal Judge F. Dickinson Letts of the District of Columbia Oct. 24 issued an injunction preventing President-elect James R. Hoffa from taking office in the International Brotherhood of Teamsters. Letts found Hoffa and other officials had arranged or tolerated "a conspiracy to rig" the recent convention at Miami Beach, Fla. (Weekly Report, p. 1177)

Letts refused to name a master in equity to supervise the union's affairs, to void the proceedings of the convention or to limit union expenditures to transactions of \$5,000. All of these items were included in the petition to the court by 13 rank and file Teamsters from New York City. (Weekly Report, p. 1192)

Martin F. O'Donohue, Teamster attorney, Oct. 26 appealed the Letts decision. In his brief he said "Judge Letts has again decided complicated legal issues on affidavits only."

## AFL-CIO VIEWS CONGRESS

The AFL-CIO Oct. 25 said the record of the first session of the 85th Congress was a "mixed one" and that a better record was handicapped by the "failure" of President Eisenhower to "exert the kind of leadership" needed.

In a 32-page pamphlet, *Labor Looks at the 85th Congress*, the Federation said that the President's "wavering" leadership had cost him "losses on civil rights, mutual security, defense appropriations and school construction."

In a preface to the pamphlet, AFL-CIO President George Meany said it was "difficult to find an excuse for the failure of Congress" to extend minimum wage coverage, relieve economically depressed areas, provide tax relief for low- and middle-income groups and grant Federal aid to education.

Meany said the first session "merits considerable praise" for adopting civil rights legislation, but he said laws passed in the fields of housing, immigration, mutual security and atomic energy "all fell short of the Nation's needs."

## Pressure Points

### RIGHT-TO-WORK

W. T. Harrison, executive secretary of the National Right to Work Committee, Oct. 28 said activity will be stepped up during 1958 in Michigan, Ohio and Illinois to achieve right-to-work legislation in those states. All three states are heavily industrialized, Harrison said the Committee was encouraged by the success in getting legislation passed in Indiana during 1957. (Weekly Report, p. 1158.)

### NATURAL GAS BILL OPPOSED

Ex-Rep. Tom Pickett (D Texas 1945-52), executive vice president of the National Coal Assn., Oct. 29 told independent oil producers the coal industry opposes the natural gas bill (HR 6790) because it would "continue practices inimical to our own interest, deprive our competitors of none of their present advantages and result in compounding our own disadvantage on competitive problems by making greater supplies of gas available in the energy markets." He said the coal industry wants only to "preserve our own rightful place in the energy market." (Weekly Report, p. 844)

### TAX WAIVER BACKED

The National Foreign Trade Council Oct. 28 said it supported the principle whereby "taxes waived by countries abroad in order to attract private capital would be allowed by the United States Government as credit against U.S. tax." A treaty with Pakistan now pending before the Senate Foreign Relations Committee contains such an arrangement. (Weekly Report, p. 977)

## LABOR-MANAGEMENT RELATIONS

COMMITTEE -- Senate Select Committee on Improper Activities in the Labor and Management Fields.

CONTINUED HEARINGS -- On labor-management corruption. (Weekly Report, p. 1208)

TESTIMONY -- Oct. 24 -- Charles Litell, formerly an employee of the Marion, Ohio, plant of Whirlpool Corp., said he had organized anti-union activities in the plant at the direction of Dr. Louis Checov, labor relations expert from Nathan W. Shefferman's Labor Relations Associates. He said he had reported regularly on his anti-union activities to Theodore Hufert, industrial relations director at the plant.

Oct. 25 -- Wallace Tudor, a Sears Roebuck & Co. vice president, said Shefferman and some Sears executives had engaged in "inexcusable, unnecessary and disgraceful" anti-union activities at Sears' Boston store in 1953. But he said these were "glaring exceptions" to Sears' over-all history of employee relations. He said Shefferman retired from direct employment with Sears in 1948.

A Committee investigator said Sears paid Shefferman and his firm nearly \$240,000 from 1953 through 1956.

Oct. 28 -- James T. Neilson admitted using aliases when he counseled employees in forming anti-union committees, but denied any wrongdoing. Referring to his activities at Sears' Boston store in 1953, Neilson said he was "rendering a real service" to anti-union workers acting "on their own." Chairman John L. McClellan (D Ark.) called the anti-union council organized by Neilson "a front for the company."

Oct. 29 -- Edmund E. Wroblewski, described as an employee of Labor Relations Associates, cited the Fifth Amendment 38 times in declining to answer questions about his work for the Shefferman firm.

Tudor said Shefferman had entertained Teamsters Union officials at Sears' expense. He said the bills had been approved by his predecessor, C.B. Caldwell, and that Caldwell had given Shefferman "too much latitude."

Oct. 30 -- Sidney R. Korshak, attorney for the Englander Co. mattress firm, said in 1955 the Teamsters Union represented workers in six company plants, nine plants were unorganized and two plants were represented by other unions. But, Korshak said, Harold J. Gibbons, then head of the Teamsters warehouse division and currently union vice president-elect, told him the Teamsters represented most of the Englander workers nationally. Korshak said he accepted Gibbons' word and, without demanding an election, recognized the Teamsters and signed a master agreement with Gibbons. Korshak denied the agreement was a "sweetheart" or sub-standard contract, but conceded that the Teamsters Western Conference, under Frank Brewster, refused to accept the agreement and won a better deal. Shefferman was a consultant to Englander until the company signed with the Teamsters early in 1956.

Rep. John F. Shelley (D Calif.) said another witness, Michael Katz, once had threatened him with a gun when both men were in the West Coast labor movement. Katz, a former union organizer and later a temporary Shefferman employee, denied the charge.

## Committee Briefs

## SUPREME COURT DECISIONS

New Hampshire Attorney General Louis C. Wyman Oct. 28 called for Federal legislation to return to the states the right to "enact their own sedition laws." Testifying before a special House Judiciary Subcommittee studying Supreme Court decisions, Wyman said this should be part of a broader legislative program "correcting" Court decisions limiting the power or dignity of the states. The National Assn. of Attorneys General, in a prepared statement, suggested legislation to offset "damaging effects" of several Supreme Court decisions in June, 1957, particularly those affecting state anti-subversive activities and Congressional committee investigations. (Weekly Report, p. 807)

## CONSENT DECREES

Pipeline company officials, in testimony before the House Judiciary Antitrust Subcommittee, Oct. 24 charged the Justice Department was attempting to regulate the pipeline industry under the guise of antitrust enforcement. J.L. Burke, president of the Service Pipeline Co., asked the Subcommittee to consider "whether the Department of Justice was warranted in invading an area that Congress intended the Interstate Commerce Commission to cover." Service Pipeline, a subsidiary of Standard Oil Co. of Indiana, was one of four companies against which the Justice Department filed antitrust suits Oct. 11. (Weekly Report, p. 1208)

## ADMINISTERED PRICES

Continuing its study of administered pricing in the steel industry, the Senate Judiciary Antitrust and Monopoly Subcommittee Oct. 29-30 heard witnesses describe recent technological developments in steel making. Chairman Estes Kefauver (D Tenn.) said the developments might reduce the amount of capital required to produce steel and "make possible the entrance of newcomers into the industry which in turn will tend to stimulate competition." (Weekly Report, p. 1208)

## INTERNAL SECURITY

The Senate Judiciary Internal Security Subcommittee held hearings in Memphis, Tenn., Oct. 28-29 on Communist activities in the mid-South area. Chairman James O. Eastland (D Miss.) and Sen. William E. Jenner (R Ind.) Oct. 30 said the Subcommittee would consider a contempt citation against Mrs. Grace Lorch, a witness who in reply to questions said she was "here under protest." Mrs. Lorch Sept. 4 shielded a Negro schoolgirl being taunted by a mob during the Little Rock, Ark., integration crisis. She said she thought there must have been "some connection" between the action and her subpoena by the Subcommittee.

## Congressional Quiz

### ATOMIC SECURITY

Proposals for the United States to share some of its atomic military secrets with its allies have led to examination of the rules governing the U.S. atomic program. How is your knowledge of the methods used to guard atom secrets? Try to answer 3 questions correctly.

1. Q--From the talks between British Prime Minister Macmillan and President Eisenhower came a proposal to pool Anglo-American atomic information, including information on weapons design. Would this require a change in existing U.S. laws?

A--Yes. The Atomic Energy Act of 1954 barred the exchange of information on atomic weapons and their nuclear components. Congress would have to amend the legislation to permit the pool of information.

2. Q--True or false: The Atomic Energy Act of 1954 barred the United States from exchanging information on guided missiles with other nations.

A--False. The Act made a specific exception of information about "systems employed in the delivery or use" of nuclear weapons.

3. Q--True or false: Persons divulging U.S. atomic secrets during peacetime may be sentenced to death.

A--True. The Atomic Energy Act of 1946 provided that the death penalty could apply to peacetime, as well as wartime, atomic spies. The provision was retained in the 1954 Act.

4. Q--The United States was allowed, under the 1954 Atomic Energy Act, to exchange information on atomic defense and uses of atomic weapons with its allies under proper security measures. What countries or organizations have such exchange agreements with the U.S.?

A--Britain, Canada, Australia and NATO. The U.S. was allowed by law to enter into such agreements provided it did not divulge "restricted data relating to the design and fabrication of atomic weapons."

5. Q--The Atomic Energy Commission regulates the secrecy controls on atomic information and the program generally. Who is chairman of the AEC: (a) Nathan F. Twining; (b) Charles E. Wilson; (c) Lewis L. Strauss?

A--(c). Strauss was appointed to the AEC in 1946 and was named chairman in 1953.

*Check your Congressional Quarterly Almanacs for additional details and background information on the news of Congress appearing in the Weekly Reports. Published since 1944, the CQ Almanac is fully indexed and cross referenced.*



# *The Week In Congress*

**North-South Split** Southern Democrats weighing the possibility of a third party movement in 1960 can be certain of one thing. There is no lack of issues on which they can campaign. Southern votes in Congress have written a distinctly Southern political platform. Two of the platform's three major planks oppose the stands of the majority of Congressional Republicans as well as Northern Democrats. Southern Democrats, of course, dissent on the emotion-laden issue of civil rights. Their votes also make plain their opposition to foreign aid and increased spending for domestic welfare projects. (Page 1217)

## **Antitrust Immunity**

Labor's substantial immunity from antitrust prosecution once again is under heavy attack by business spokesmen. The chances appear slim, however, that Congress will provide any legislative remedy in 1958 -- an election year. More than politics is involved. The question of applying the antitrust laws to organized labor has troubled Congress and the courts for more than half a century. Their dilemma: where to draw the line between permissible and illegal activities? The same dilemma is, of course, encountered in labor relations policy generally. Congress met the labor relations issue, although to no one's complete satisfaction, when it passed the Taft-Hartley Act in 1947. But the task of extending the highly nebulous antitrust statutes to cover the allegedly monopolistic practices of organized labor defies a ready answer. (Page 1229)

## **Hearing Highlights**

In one of the most active weeks since Congress adjourned, House and Senate subcommittees held hearings on a variety of subjects. A House subcommittee studying recent Supreme Court decisions was told Congress should enact legislation to "correct" some decisions that threatened the power and dignity of the states. Other subcommittees continued their probes of administered pricing and the Justice Department's use of consent decrees in antitrust cases. The Internal Security Subcommittee went to Memphis to look for Communists. (Page 1232)

## **Mismanagement**

Turning its attention from labor to management, the Senate Rackets Committee heard witnesses describe methods used by some employers to keep unions from organizing their workers. All of the employers had one thing in common: all had utilized the services of a Chicago labor relations firm headed by Nathan Shefferman, a friend of Teamsters President Dave Beck. (Page 1232)

## **House Elections**

Special elections Nov. 5 in two normally Republican areas will fill vacancies in the House of Representatives. In New Jersey's 2nd District, a Democratic farmer and Republican state assemblyman will vie for the seat vacated by the death of Rep. T. Millett Hand (R). A vacancy in Pennsylvania's 13th District caused by the resignation of Rep. Samuel K. McConnell Jr. (R) will be filled either by a GOP state representative or a Democratic scientist and manufacturer. (Page 1222)

## **N.J. Governor**

The campaign for governor of New Jersey between an incumbent Democratic middle-of-the-roader and his Modern Republican challenger is reaching a climax. The state's normally Republican voters will decide Nov. 5 between continuing Democrat Robert B. Meyner in office for another four years or replacing him with Republican State Sen. Malcolm S. Forbes. The national stakes are high, both for the candidates and their parties. Victory could mean a Presidential nomination for Meyner in 1960 and overnight national prominence for Forbes. Defeat almost certainly means political oblivion for either. (Page 1224)

## **3rd Party Views**

Three more southern governors debunked the idea of a third party in their states in reply to a CQ query. Florida's Gov. LeRoy Collins said he thought a "third party movement would be most unwise." Oklahoma's Gov. Raymond Gary said nothing would be gained from a third party movement. Virginia's Gov. Thomas B. Stanley said he hoped the existing national parties would reflect more of the views of the South and that Southerners had more to gain now by trying to "revitalize" the Democratic party than by starting a new one. (Page 1222)